



**THE STATE BAR OF CALIFORNIA
LITIGATION SECTION
PRESENTS**

**Earn 6 Hours of
MCLE Credit**



**A FULL DAY OF SPECIALIZED CLE
FOR STAFF COUNSEL**

FRIDAY, MARCH 20, 2015

The State Bar of California

845 S Figueroa St.
Los Angeles, CA 90017



Register Online: <http://litigation.calbar.ca.gov>

PROGRAM SCHEDULE

8:00 – 9:00 a.m.

Registration and Continental Breakfast

9:00 – 10:00 a.m.

How to Deal with a Difficult Witness: Why the Deposition is More Important than Trial. Have you ever had an evasive witness? Or one you cannot pin down? What about a witness who is stubborn, uncooperative, or slippery? This session will teach you how to deal with difficult deponents and why the deposition is usually even more important than the trial.

Presented by Jeffrey Cabot Myers, Esq.

10:00 – 11:00 a.m.

Winning Client Confidence – Tips for In-House Counsel to Strengthen Relationships with Internal Clients. Building a strong relationship between in-house counsel and internal clients is crucial to the long-term durability and viability of this distinctive attorney-client relationship. It is therefore imperative for in-house counsel to know and understand the internal client's needs as well as the overall goals of your legal assignment. This session will teach you how to accomplish both in order to be an effective in-house advocate.

Moderator: Tiffany Walls-Fox, Esq.

Speakers: Arlene Zalayet, Esq. and Karen Labat, Esq.

11:00 – 11:15 a.m.

Break

11:15 a.m. – 12:15 p.m.

Update: IME Tactics and Strategies – A Detailed Discussion on How to Use Plaintiff's Independent Medical Examination to Maximize the Defense's Position for Trial. When a personal injury plaintiff puts an aspect of his or her physical or mental health into issue by claiming to suffer impairment as a result of an accident such as ongoing pain and discomfort, permanent disability, or emotional distress and there is a reason to question the Plaintiff's condition, the defense should seek evidence to challenge the claimed damages or disability. Learn when and how to utilize an IME.

Presented by James P. Zurawski, Esq.

12:15 – 12:45 p.m.

Lunch

12:45 – 1:45 p.m.

Update: *Howell v. Hamilton Meats* – The Current Status of the Admissibility of Medical Expenses and Non-Economic Damages Evidence at Trial Flowing from *Howell* and its Progeny. The collateral source rule in a personal injury action or tort claim generally prevents the admission of evidence that the plaintiff will be compensated from a source other than the defendant for his/her injuries. In most cases, the full rate charged by a medical provider is then discounted or adjusted before it is actually paid. In *Howell v. Hamilton Meats* (2011) 52 C.4th 541, the California Supreme Court ostensibly settled the

argument by determining that the lower contracted rates are the reasonable and customary medical fees for the purpose of determining damages. You will receive updated discovery guidance in light of *Howell* and the growing body of legal decisions which have further determined the admissibility of medical evidence.

Moderator: James P. Zurawski, Esq.

Speaker: James Grafton Randall, Esq.

1:45 – 2:45 p.m.

Who Should Stay and Who Should Go – Defense, Plaintiff, and Trial Court Tips and Tactics on Effective Voir Dire Techniques to Optimize Your Client's Chance of Success during Trial. For both the defense and prosecution, voir dire constitutes perhaps the most important part of a jury trial. The goal is to gain a better understanding of each juror individually in order to create a specific group dynamic. Learn how effective voir dire can work to identify jurors who will render a verdict in your client's favor.

Moderator James P. Zurawski, Esq.

Speakers: Honorable Jaquelin Connor, Ret. (Trial Judge's perspective), Gary A. Dordick, Esq., (Plaintiff's Perspective), and Jeffrey Baraban, Esq. (Defendant's Perspective)

2:45 – 3:00 p.m.

Break

3:00 – 4:00 p.m.

Trial Advocacy within the Los Angeles Superior Court Personal Injury Court System. A Detailed Discussion of Tactics and Strategies on How to Navigate the Recently Reorganized Personal Injury Court. Effective March 18, 2013, the Los Angeles Superior Court responded to systemic budget reductions by centralizing the management of more than 18,000 general jurisdiction personal injury cases in the Stanley Mosk Courthouse. LASC opened three Personal Injury Courts to adjudicate all pretrial matters for these cases and established a Master Calendar Court to manage the assignment of trials to dedicated Trial Courts located countywide. Learn the ins and outs of effective litigation within the new court system from the perspective of defense counsel, plaintiff counsel and the court.

Moderator: James Zurawski, Esq.

Speakers: Honorable Daniel P. Buckley, Assistant Presiding Judge LASC, (Bench's Perspective), C. Michael Alder, Esq. (Plaintiff's Perspective) and Christopher Faenza, Esq. (Defense's Perspective)

REGISTRATION INFORMATION

PRE-REGISTRATION DEADLINE:

The deadline to pre-register is **Friday, March 13, 2015**

ON-LINE REGISTRATION:

Register online at <http://litigation.calbar.ca.gov>

MAIL:

Mail to

Program Registration
The State Bar of California
180 Howard Street
San Francisco, CA 94105

FAX:

Fax to (415) 538-2368. Credit card payment is required.

CANCELLATIONS/REFUND:

Requests must be received in writing by **Friday, March 13, 2015**. A \$25 processing fee will be charged. Refunds will not be available after **Friday, March 13, 2015**.

ON-SITE REGISTRATION:

On-site registration is subject to availability. Call to confirm space availability.

SPECIAL ASSISTANCE:

For special assistance, please call (415) 538-2546.

MCLE:

The State Bar of California and the Litigation Section are State Bar of California approved MCLE Providers.

QUESTIONS:

For registration information call (415) 538-2508. Telephone registrations will not be accepted. For program content and/or Section information call (415) 538-2546.



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REGISTRATION FORM

Note: One registrant per form. Photocopies may be used.

Bar Number: _____

Name: _____

Firm: _____

Firm Address: _____

City, State: _____ Zip Code: _____

Phone Number: _____ Fax Number: _____

Email Address: _____

(Required for email confirmation)

Your name and address may be disclosed

_____ Check here if you do not want your information released

REGISTRATION FEES (DUE BY FRIDAY, MARCH 13, 2015)

- ☐ \$240 Litigation Section Members
- ☐ \$335 Non-Section Members
(Includes enrollment in the Litigation Section for 2015)
- ☐ \$150 Non-California Lawyers

AMOUNT ENCLOSED OR TO BE CHARGED

\$ _____

CREDIT CARD INFORMATION (VISA/MasterCard Only)

I authorize The State Bar of California to charge my program registration to my VISA/MasterCard account. (No other credit card will be accepted.)

Account Number: _____

(VISA or MasterCard only)

Expiration Date: _____

Cardholder's Name: _____

Cardholder's Signature: _____

Deadline: In order to pre-register, your form and check, payable to The State Bar of California, or credit card information, must be received by Friday, March 13, 2015

Register Online: <http://litigation.calbar.ca.gov>

Mail To: Program Registration, The State Bar of California,
180 Howard Street, San Francisco, CA 94105.

Fax To: Program Registration at 415-538-2368. In order to fax your registration, credit card information is MANDATORY.
(Photocopies of checks will NOT be accepted.)

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